

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED
2003 OCT -9 AM 10:26

SOUTHWEST RECREATIONAL
INDUSTRIES, INC.

Plaintiff

vs.

OMNOVA SOLUTIONS, INC.

Defendant

CIVIL ACTION NO. A-03-CA-41

JURY TRIAL REQUESTED

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Plaintiff, Southwest Recreational Industries, Inc. d/b/a SRI Sports, Inc. ("SRI"), and Defendant, Omnova Solutions, Inc. ("Omnova"), file this stipulation of dismissal without prejudice under Federal Rule of Civil Procedure 41(a)(1)(ii).

1. Plaintiff SRI brought this action on December 19, 2002, and moves to dismiss it without prejudice so that the parties may continue settlement negotiations without incurring unnecessary legal expenses.

2. Defendant Omnova, who has filed an answer, consents to dismissal of this action without prejudice.

3. This case is not a class action.

4. A receiver has not been appointed in this action.

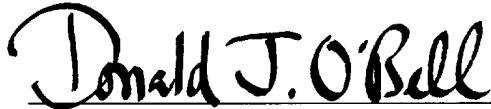
5. This case is not governed by any federal statute that requires an order of the court for dismissal of the case.

6. Plaintiff SRI has not previously dismissed an action based on or including the same claims as those presented in this suit.

7. This dismissal is without prejudice to the rights of Plaintiff SRI to refile a new action based on or including the same claims presented in this suit.

8. Plaintiff SRI and Defendant Omnova stipulate and agree that each of the parties shall bear their own respective attorney's fees, costs and other expenses incurred to date in connection with this case.

Respectfully submitted,



DONALD J. O'BELL

SBT No. 15161550

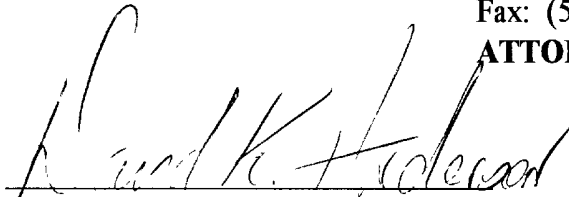
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